

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

MANUEL ESQUIVEL, INDIVIDUALLY §
AND AS A REPRESENTATIVE OF A §
CLASS OF SIMILARLY SITUATED §
PERSON, ON BEHALF OF THE § Case No. SA-24-CA-00310-XR
WHATABURGER 401(K) SAVINGS §
PLAN; §
Plaintiff §
§
v. §
§
WHATABURGER RESTAURANTS LLC, §
ET AL.; §
Defendant §

DEFENDANT'S ADVISORY TO THE CLERK OF COURT

Defendant in the above-captioned case elects as follows (please select only one of the following options):

I consent to proceed before a United States Magistrate Judge in accordance with provisions of Title 28 U.S.C. Section 636. Defendant in the above-captioned case waives the right to proceed before a United States District Judge and consents to have a United States Magistrate Judge conduct any and all further proceedings in this case, including rendering a decision, and to order the entry of final judgment. Any appeal shall be taken to the United States Court of Appeals for the Fifth Circuit in accordance with Title 28 U.S.C. Section 636(c)(3).

I do not consent to proceed before a United States Magistrate Judge. Defendant in the above-captioned case elects **not** to have this case decided by a United States Magistrate Judge and prefers that this case proceed before the United States District Judge.

Whataburger Restaurants LLC

Defendant's Name

By: /s/ Jeremy P. Blumenfeld
Signed by Attorney

May 28, 2024
Date

UNITED STATES DISTRICT COURT